Chandka

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 12 OF 2007

Rashmi M. Mankar ..Applicant

versus

Mohan B. Mankar ..Respondent

Mr. M. B. Shirsat for the Applicant.
Mr. P. V. Nelson Rajan for the Respondent.

CORAM : S. A. BOBDE, J.
DATE : 31ST OCTOBER, 2007.

P.C.

. Applicant seeks transfer of the Petitions for dissolution of marriage and custody which are pending at Nagpur. The applicant is a resident of Mumbai. She works in the J.J. Hospital and has succeeded in being posted from Gadchiroli to Mumbai. She has a 10 year old son born from wedlock, and the child is studying in school at Pune. She states that she visits the child on week ends at Pune. According to the applicant the circumstances require her to work at Mumbai during the whole week and to spend the week end at Pune with her son. She therefore submits that it would be expensive and

inconvenient for her to defend the proceedings at Nagpur.

2. Having heard the matter for sometime, it appears that it is necessary to take into account and give weightage to the convenience of the applicant. On the other hand the respondent appears to be having an independent business at Nagpur and does not seem to have the kind of constraints which are on the applicant.

3. In the circumstances, the Application is allowed in terms of prayer clause (a), which reads as follows:

> "This Hon'ble Court be pleased to call for the entire records and proceedings in the matter pertaining to Marriage Petition No. 297 of 2006 and Petition No. D-28/06, pending in the Family Court at Nagpur to the Family Court at Bandra;"

4. The Family Court at Bandra is directed to dispose of the dispute as expeditiously as possible.

(S.A. BOBDE, J.)